

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

EuGene Clowers,)
Plaintiff,)
vs.)
Jon Ozmint, Director of SCDC; Colie)
Rushton, Warden of McCormick)
Correctional Institution; Leeroy Cartlidge,)
Associate Warden; NFN Parker, of)
Classification, in their individual and)
official capacities,)
Defendants.)

) C/A No. 0:06-2530-MBS
)

O R D E R

ORDER

Plaintiff EuGene Clowers filed the within action pursuant to 42 U.S.C. § 1983, asserting unconstitutional conditions of confinement at the McCormick Correctional Institution, a facility within the South Carolina Department of Corrections. On September 18, 2006, Magistrate Judge Robert S. Carr issued an order requiring Plaintiff to (1) complete and sign Forms USM-285 for each Defendant; and (2) complete a summons for each Defendant. Plaintiff was given twenty days to comply with the September 18, 2006 order. Plaintiff was cautioned that if he failed in a timely fashion to bring his case into “proper form,” his case would be subject to dismissal.

On September 25, 2006, the “proper form” order was returned to the Office of the Clerk of Court as undeliverable. On October 10, 2006, Plaintiff provided a change of address. The “proper form” order was mailed to Plaintiff at his new address on October 18, 2006. The order has not been returned to the Clerk’s Office.

Plaintiff has not responded to the September 25, 2006 order. Accordingly, the within action

is dismissed without prejudice for failure to bring this case into proper form.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina

November 20, 2006